NWT PlainTalk
On Land and Self-government
November 2002

Dogrib Treaty 11, Canada & GNWT Initial Historic Tlicho Agreement

More than 700 people, many having arrived by boat and plane, gathered in Wha Ti on September 4, 2002, to celebrate the initialling of the Tlicho Agreement during the 11th Tlicho Gathering.

For many present, it was an historic day and a time to acknowledge the contributions of the Elders. In his remarks to those assembled, Chief Joseph Judas paid tribute to "the Elders who travelled with us as advisors." Reaching further back into history, a number of speakers referred to Chief Monfwi, who signed Treaty 11 on behalf of the Rae Dogrib in 1921. For Harry Simpson, a member of the Elders' Advisory Council, it was important in the negotiations "not to lose touch with the vision Monfwi had for the Dogrib nation."

"Let's shake hands. It's a wonderful day to be here. Let's have a good life on the land."
- Chief Joseph Judas, Wekweti

By initialling the Agreement, the Chief Negotiators for the Dogrib Treaty 11 Council, and the federal and territorial governments, can now meet with Aboriginal groups, other groups and with the public to talk about what is in the Agreement, to answer questions and to listen to comments and suggestions. After a three-month information period, the negotiators will consider all comments and make any necessary changes to the Agreement. The Agreement would then be initialled again, likely in mid-December. It would be this amended version that would be considered for ratification.

Under the September 4, 2002, Tlicho Agreement, the Tlicho Government would own approximately 39,000 square kilometres of land, including the minerals, in a single block close to the four Tlicho communities: Gameti, Wekweti, Wha Ti and Behchoko. Anyone with a right of access would be able to harvest on these "Tlicho Lands". However, the right to harvest furbearers and to use the land for commercial purposes would be reserved for the Tlicho people on their lands.

Photo: Susan Beaumont/DIAND

The Chief Negotiators initial the Tlicho Agreement in Wha Ti on September 4, 2002, from left to right: Jean-Yves Assiniwi, Chief Federal Negotiator, Gary Black, Chief GNWT Negotiator and John B. Zoe, Chief Negotiator for the Dogrib Treaty 11 Council

In addition to land, the Tlicho Government would receive approximately $90 million which would be paid out over a number of years, as well as a share of resource royalties received by government annually from the Mackenzie Valley.

The Agreement also describes the traditional area of the Tlicho First Nation - "Monfwi Gogha De Niitl'ee" - described by Chief Monfwi at the signing of Treaty 11, and a management area - "Wekeezhii" - in which the Tlicho would have a role in managing land, water and wildlife. Except for Tlicho and community lands, all other lands remain Crown lands. That means they are available for harvesting and for selection by other Aboriginal groups in their land claim processes.

"In 1921, Monfwi started a process with the Crown and today we are not finalizing that relationship... we are making sure... that we will have a living treaty, which will continue to grow."
- Jean-Yves Assiniwi, Chief Federal Negotiator

The Tlicho Agreement is the first North-of-60 agreement to combine both land claim and self-government elements. The self-government portion of the Agreement includes the establishment of the Tlicho Government which would replace the Dogrib Treaty 11 Council and the Indian bands in the Tlicho communities. The Tlicho Government would have law-making powers to manage Tlicho lands and resources, and to protect and promote Tlicho language, heritage and culture.

After almost 10 years of negotiations, the initialling marked an important step towards a Final Agreement and was cause for celebration. "I am very fortunate to be among this history making today," said Mike Nitsiza, a resident of Wha Ti, "and I am very touched by it."

In this issue...

Dogrib Treaty 11, Canada & GNWT Initial Historic Tlicho Agreement
Information Exchange Period for Tlicho Agreement
What Happens Next?
On the Road to Devolution
Deh Cho Process – Building a Better Future Together
South Slave Metis Tribal Council Changes Name
Our Vision
You Were Asking...
On the Web
Who are You Going to Call?

The purpose of our newsletter is to keep you informed on the progress of land claim and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also introduce newly appointed negotiators, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our claims newsletter informative and easy to read.

Information Exchange Period for Tlicho Agreement

The Chief Negotiators have been meeting with Aboriginal groups and other residents of the Northwest Territories to provide information and seek their views on the Tlicho Agreement. Meetings have taken place throughout October and November and have included meetings with the Sahtu Dene and Metis, Metis groups, outfitters, environmental groups, the Akaitcho Dene and the City of Yellowknife.

For more information on the public information period, or to provide comments, please contact:

Emmanuel Atiomo
Coordinator – Tlicho Agreement
Public Information Period
Aboriginal and Territorial Relations
Indian and Northern Affairs Canada
Tel: (867) 669-2598

Copies of the Tlicho Agreement are available and may be picked up at DIAND Communications, Marketing and Consultation, 4th Floor, Bellanca Building, Yellowknife. If you would like a copy mailed to you, please call 867-669-2578.

Grand Chief Joe Rabesca at the opening of the 11th Tlicho Gathering in Wha Ti.

Photos: Susan Beaumont/DIAND

Elders' Advisory Committee at the 11th Tlicho Gathering in Wha Ti, from left to right: Harry Simpson, Jimmy Rabesca, Joe Migwi and Alexis Arrowmaker.

Eddie Weyallon, Events Coordinator, (foreground) and William Chocolate of the Gameti First Nation Band Council at 11th Tlicho Gathering in Wha Ti.

What happens next?

At the end of the information period, the Tlicho Agreement will be amended and initialled by the Chief Negotiators. Then, the ratification process will begin. The Agreement must be ratified, in turn, by the Dogrib Treaty 11 Council, the Tlicho people, the Government of the Northwest Territories and the Government of Canada. It could take up to two years for the Tlicho Agreement to come into effect.

The Tlicho ratification vote will occur approximately five to six months after the date of the final initialling of the Tlicho Agreement.

Deh Cho Process - Building a Better

The Government of Canada, the Government of the Northwest Territories (GNWT) and the Deh Cho First Nations (DCFN) are involved in negotiations on land, resources and governance issues known as the Deh Cho Process.

On May 23, 2001, all three parties signed a Framework Agreement that set out how negotiations would proceed. At the same time, they signed an Interim Measures Agreement, that assured the Deh Cho would have a role in resource management decisions in the region while a final agreement is being negotiated.

Since then, quite a bit of progress has been made on the next steps in the process. The Land Use Planning Committee has established an office in Fort Providence, the Committee members have been appointed and staffing should be completed this fall. The Committee will develop a Land Use Plan. Once it is approved, the plan will provide for the long-term conservation and development of the land, waters and other resources in the Deh Cho territory.

Negotiators are also working on interim land withdrawals, which will ensure that certain lands, surface and/or subsurface, are protected while a final agreement is being negotiated. Federal and Deh Cho negotiators will soon be consulting Deh Cho community members and other interested third parties on the proposed withdrawals. They will visit each Deh Cho community to present information and hear people's views before the land withdrawals are finalized.

The Deh Cho Process is unique for many reasons. For instance, Canada and the Deh Cho are negotiating an Interim Resource Development Agreement, known in Slavey as "Duh Gogha Ndeh ts;eh Saamba Holeh Ts'ehk'eh Eleh Seegots'eleh". With this agreement in place, the Deh Cho will be able to benefit from resource development in the Deh Cho territory and participate in economic development opportunities before a final agreement is reached. It is the first time that such an arrangement has been made at this stage of negotiations. The

On the road to Devolution

The transfer of province like responsibilities to the territorial governments has been a longstanding policy objective of the Government of Canada. Since the 1970s, the federal government has been transferring its decision-making powers to territorial governments. This means local residents and governments are increasingly in control of, and accountable for decisions that are central to their futures.

At last year's Intergovernmental Forum held in May 2001, leaders of the Aboriginal Summit, the Government of the Northwest Territories (GNWT) and the Minister of Indian Affairs and Northern Development (DIAND) endorsed a Memorandum of Intent committing all three parties to move toward formal discussions for the transfer of DIAND's remaining provincial-type responsibilities in the NWT. These include the legislative powers, programs and responsibilities associated with DIAND in the NWT, with respect to:

(a) powers to develop, conserve, manage and regulate surface and subsurface natural resources in the NWT for mining and minerals (including oil and gas) administration, water management, land management and environmental management;

(b) powers to control and administer public land with the right to use, sell or otherwise dispose of such land; and

(c) powers to levy and collect resource royalties and other revenues from natural resources.

The GNWT, the Aboriginal Summit and the Government of Canada have each appointed a Chief Negotiator to work on devolution. The parties to the negotiations have a common interest in ensuring a solid agreement while maintaining the best possible climate to attract investment in sustainable resource development in the NWT.

Dr. Hal Gerein is the Government of the Northwest Territories negotiator. In 24 years of public service, he has served at both the deputy and assistant deputy minister levels in the governments of British Columbia and the Northwest Territories. In his 20 years with the GNWT, Dr. Gerein served as the founding Deputy Minister of the Department of Transportation in 1989. During the period of his leadership, the Territorial Highways were devolved from DIAND to the GNWT.

Photo: Line Gagnon/DIAND

Left to right, Negotiator for the Aboriginal Summit, Bob Simpson, Federal Negotiator, David Peterson, and GNWT Negotiator, Hal Gerein.

Mr. Bob Simpson is the negotiator for the Aboriginal Summit. A resident of the NWT for 30 years, Mr. Simpson has travelled to all of the communities in the NWT giving him a unique understanding of northern society and political systems.

Mr. David Peterson is the federal negotiator. Premier of Ontario between 1985 and 1990, he was elected as a Member of the Ontario legislature in 1975 and became the leader of the Liberal party in 1982. As Premier of the Province, Mr. Peterson oversaw a very active period of reform and played a major role in the country's constitutional and quasi-constitutional discussions and negotiations of the period. Mr. Peterson is presently the Chairman of the Toronto law firm Cassels Brock & Blackwell.

Formal negotiations are proceeding with the parties targeting completion of a framework agreement within the year.

Future Together

negotiation of this agreement is well advanced and it should be ready for signing soon.

Looking forward, Canada, the DCFN and the GNWT will first work towards a General Agreement-in-Principle (GAIP) and then, in five years, an Agreement-in-Principle (AIP). In keeping with the step-by-step approach of the Deh Cho Process, the GAIP will set out the major themes and elements of an eventual final agreement and serve as the basis for the much more detailed AIP. The GAIP discussions are already under way and workshops have taken place in the communities of Fort Simpson and Trout Lake.

Photo: Roxane Poulin/DIAND

During a recent visit to Fort Liard, Canada's Chief Land Selection Negotiator Eddie Kolausok discusses Interim Land Withdrawals with the newly elected Acho Dene Koe First Nation. Pictured here from left to right are Eddie Kolausok, Councillors Eva Hope, Francine Kotchea and Joe Bertrand, Chief Floyd Bertrand and Deh Cho Interim Land Withdrawal Negotiator Herb Norwegian.

For more information about...

- Interim land withdrawals or upcoming land withdrawal consultations:

  Contact Eddie Kolausok
  or Mike Walsh at the
  DIAND Land Selection Office
  Phone: (867) 669-2470, or
  E-mail kolausoke@inac.gc.ca
  E-mail walshm@inac.gc.ca

- The Deh Cho Process or to get a copy of a brochure explaining these negotiations:

  Contact Clayton Balsillie,
  DIAND Intergovernmental Affairs Specialist
  Phone: (867) 669-2603 or
  E-mail: balsilliec@inac.gc.ca

...rmation provided here is based on provisions in the Tlicho Agre...nt initialled on September 4, 2002, and may be subject to chan...s a result of the information and comment period.

Q. Who gets to vote to ratify the Tlicho Agreement?

A. "Eligible voters" will have the right to vote to ratify the Tlicho Agreement. To be an "eligible voter" the following must be met:

Condition #1:	You must be "Tlicho".
Condition #2	You must be a Canadian citizen, a permanent resident of Canada or a citizen of another country as a result of adoption as a child.
Condition #3	You must not be enrolled under another land claims agreement.
Condition #4	You must be at least 19 years of age.
Condition #5	You must be legally competent.
Condition #6	You must apply to the Eligibility Committee to have your name placed on the voters list.

Q. What does the Eligibility Committee do?

A. An Eligibility Committee has been formed to oversee the voting and enrolment processes and to provide information. Before the voting begins, the Committee will prepare and publish the Preliminary Voters List, hear and decide appeals, and publish the Official Voters List. **For detailed information, contact Gabrielle MacKenzie-Scott, Enrolment Coordinator, Tlicho Eligibility Committee, at (867) 766-3391.**

Q. How is Tlicho defined?

A. To be "Tlicho", for the purposes of voting, you must be able to answer "Yes" to one of the following questions:

1. Are you of Aboriginal ancestry and did you reside in and use and occupy Monfwi Gogha De Nititee on or before August 22, 1921 and did you receive Treaty 11 benefits?

OR

2. At any time between the date of the final initialling of the Tlicho Agreement and the date you applied to the Eligibility Committee to have your name placed on the voters list, were you a member, or had you applied to be member, of one of the four Tlicho bands?

OR

3. Were you adopted as a child, under the laws of any jurisdiction or under any Tlicho custom, by a person described in 1 or 2 above or by a desc... of such a person?

OR

4. Are you a descendant of a person described in 1 or 3 abo...

Do you have a question about land or self-government negotiations in the NWT? We'd be happy to provide an answer. Contact us at the address listed below.

Photo courtesy of Jim Green, NWT Metis Nation

South Slave Métis Tribal Council Changes Name

At their 2002 Annual General Assembly in Hay River on July 6, the South Slave Metis Tribal Council (SSMTC) voted to change its name to the Northwest Territory Metis Nation (NWTMN). The name change became official on July 17, 2002. Pictured here at the Assembly are MP Ethel Blondin-Andrew with Fort Smith Metis elders Maggie Kurszewski and Emilia Gratix. Canada, the SSMTC and the GNWT signed a Framework Agreement in 1996 and an Interim Measures Agreement in June 2002. Negotiations towards an Agreement-in-Principle are under way.

On the web

Visit the following for more information:

Government of Canada programs and services:
Government of Canada home page:
www.gc.ca

Plain Talk on the web:
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/nt/pt/index_e.html

Various claims agreements:
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/pr/agr/index_e.html

OUR Vision

The NWT region of DIAND is a respected partner in a strong and healthy Northwest Territories. We strive for:

- respectful, effective relationships with Aboriginal peoples;
- creating and enhancing opportunities for all northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern governments as partners; and
- national initiatives that reflect the interests of all Northerners.

Plain Talk is produced to provide general information on topics related to land claims and self-government. It is not a legal document.

We welcome your input!
Please Direct questions or comments to:

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Plain Talk on Land and Self-government is produced by the Department of Indian Affairs and Northern Development in the NWT to help northerners understand these concepts, how they work, and what they mean in our day-to-day lives.